

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

DENNIS W. LASKEY,

Plaintiff,

v.

CORRECT HEALTH,

Defendant.

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No. 2:15-CV-85-JRG-MCLC

MEMORANDUM & ORDER

This is a pro se pretrial detainee's civil rights action under 42 U.S.C. § 1983. By Scheduling Order entered on July 8, 2015, Plaintiff was ordered to file his Pretrial Narrative Statement on or before January 21, 2016 [Doc. 11]. Plaintiff was also forewarned that, unless he complied with that filing deadline, his case would be dismissed [*Id.* p.2].

Defendant now has filed a notice based on Plaintiff's failure to comply with the Scheduling Order [Doc. 17]. As Defendant correctly points out in the notice, the date established for Plaintiff to submit his Pretrial Narrative Statement has passed, but he has failed to file his statement.

Accordingly, this action will be **DISMISSED** for Plaintiff's failure to prosecute and to comply with the orders of the court. Fed. R. Civ. P. 41(b). Given the reason for this dismissal, the Court **CERTIFIES** that any appeal taken in this matter would not be taken in good faith. 28 U.S.C. § 1915(a)(3). Thus, if Plaintiff files a notice of appeal, he must also submit an application for leave to proceed *in forma pauperis* on appeal, his financial affidavit, and a

certified copy of his inmate trust account statement for the six months preceding the filing of the notice of appeal 28 U.S.C. § 1915(a)(2).

AN APPROPRIATE ORDER WILL ENTER.

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE